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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,970	06/19/2007	Yo Sawamura	40404.69/ko	7500

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EXAMINER

DANG, KHANH

ART UNIT	PAPER NUMBER
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2111

NOTIFICATION DATE	DELIVERY MODE
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04/24/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/599,970	Applicant(s) SAWAMURA ET AL.	
	Examiner Khanh Dang	Art Unit 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-13 is/are pending in the application.
- 4a) Of the above claim(s) 7-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 6, and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20061016</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Species I, Fig. 1, claims 5, 6, and 13, in the reply filed on 3/3/2009 is acknowledged.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

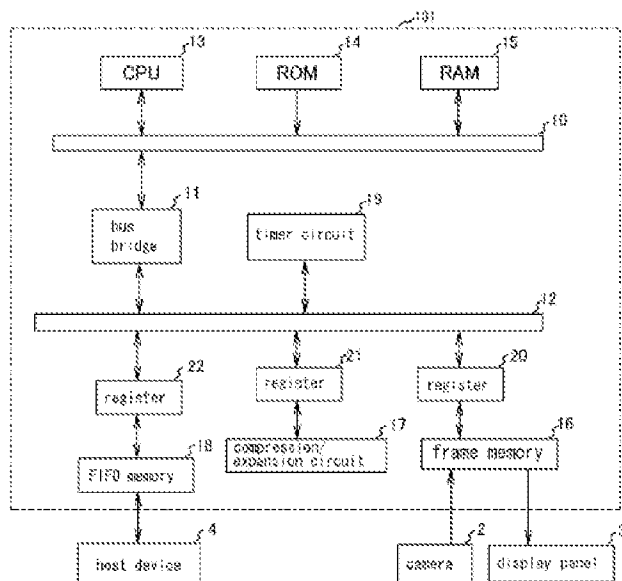
Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the acknowledged prior art of Fig. 3 (APA) in view of Kopet et al. (Kopet, 5699460).

The APA, in Fig. 3, which is reproduced below for ease of reference and convenience, discloses an image processing device comprising: a high-speed bus (10) and a peripheral bus (12) linked via a bus bridge (11); a CPU (13) arranged to carry out

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computations and control of image processing; a data transceiving FIFO memory (18) arranged to carry out transceiving of image compression data with a host device (4); a frame memory (16) arranged to store image expansion data and to display the data on a display panel (3); and a compression/expansion circuit (17) arranged to carry out compression of image expansion data and expansion of image compression data; wherein the CPU (13) is connected to the high-speed bus (10), and the data transceiving FIFO memory (18) is connected to the peripheral bus (12). See also paragraphs [0003] to [0004] of the specification.

Fig. 3
Prior Art

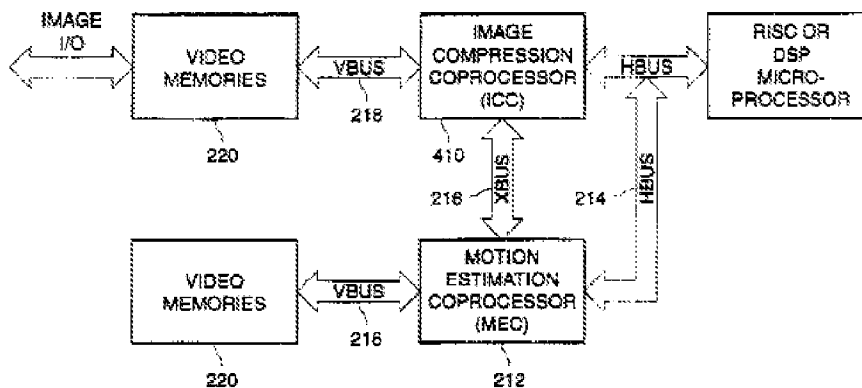


The APA does not disclose that the frame memory (16) is connected to the high-speed bus (10).

However, connecting a frame memory to a high speed bus is old and well-known as evidenced by at least Kopet. Kopet, in Fig. 2, which is reproduced below, discloses

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an image processing apparatus, wherein the frame memory or video memories 220 is connected to a host bus or high speed bus HBUS via the VBUS 218 and MEC 212 (note that the MEC is not required for applications that do not need motion compensated frame encoding) for the purpose of providing higher bus speed for image processing. See column 4, line 58 to column 5, line 25.



It would have been obvious to one of ordinary skill in the art at the time the invention was made to connect the frame memory 16 to the high speed bus 10, as taught by Kopet, for the purpose of providing higher bus speed for image processing.

With regard to claim 6, Kopet also discloses that the compression and decompression circuit 410 is connected to the host bus or high speed bus HBUS. Thus, it would also have been obvious to one of ordinary skill in the art at the time the invention was made to connect the compression/expansion circuit 17 to the high speed bus 10, as taught by Kopet, for the purpose of providing higher bus speed for image processing.

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Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over the acknowledged prior art of Fig. 3 (APA) in view of Kopet et al. (Kopet, 5699460), as applied to claims 5 and 6 above, and further in view of the Examiner's Official Notice.

The further difference between the claimed subject matter and that of the APA is operating frequency of at least 75 MHz of the host bus or high speed bus 10.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an operating frequency of at least 75 MHz for the host bus 10, since the Examiner takes Official Notice (see MPEP 2144.03) that using a frequency of 75 MHz for a high speed bus were old and well-known in the art at the time the invention was made. According to MPEP 2144.03, Applicants are entitled to traverse this Official Notice. However, also according to MPEP 2144.03, it is important to note that in order to adequately traverse an Official Notice, Applicants must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b). See also *Chevenard*, 139 F.2d at 713, 60 USPQ at 241 ("[I]n the absence of any demand by appellant for the examiner to produce authority for his statement, we will not consider this contention."). A general allegation that the claims define a patentable invention without any reference to the examiner's assertion of official notice would be inadequate.

Relevant Art

US Patent Nos. 6016401 to Rostoker et al. and 2007/0286275 to Kimura et al. are cited as relevant art.

Rostoker et al. and Kimura et al. disclose connecting the frame memory and the compression/decompression circuitry to a host bus or high speed bus.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dang whose telephone number is 571-272-3626. The examiner can normally be reached on Monday-Friday from 9:AM to 5:PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Khanh Dang/

Primary Examiner, Art Unit 2111